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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   ) CASE NO. MJ 07-213  
10                                                          )  
11       Plaintiff,                                      )  
12                                                          )  
13       v.                                                )  
14       JOSE MARIO NASH,                              )  
15                                                          )  
16       Defendant.                                      )  
17                                                          )  
18                                                          )  
19                                                          )  
20                                                          )  
21                                                          )  
22                                                          )

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14       Offense charged: Felon in Possession of a Firearm; Possession of Crack Cocaine with Intent to  
15       Distribute

16       Date of Detention Hearing: May 4, 2007

17       The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18       based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19       that no condition or combination of conditions which defendant can meet will reasonably assure  
20       the appearance of defendant as required and the safety of other persons and the community.

21       **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

22       1.       Defendant is charged by complaint with knowingly possessing a stolen firearm,

01 having been previously convicted of the felony of Attempt to Elude.

02       2. Defendant was not interviewed by Pretrial Services. There is no information  
03 available regarding his personal history, residence, family ties, ties to this District, income, financial  
04 assets or liabilities, physical/mental health or controlled substance use if any. Defendant has a  
05 lengthy criminal history, which includes numerous failures to appear. He is associated with ten  
06 alias names, five dates of birth and two social security numbers. According to the National Crime  
07 Information Center, an Officer Safety Advisory has been posted as a result of the defendant being  
08 involved in an assault against an officer.

09       3. Defendant poses a risk of nonappearance because of alias identifiers, a conviction  
10 for escape, a history of failing to appear and unknown background information. He poses a risk  
11 of danger due to criminal history, the Officer Safety Advisory, and the nature of the current  
12 charges.

13       4. There does not appear to be any condition or combination of conditions that will  
14 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
15 to other persons or the community.

16 It is therefore ORDERED:

17       (1) Defendant shall be detained pending trial and committed to the custody of the  
18                   Attorney General for confinement in a correction facility separate, to the extent  
19                   practicable, from persons awaiting or serving sentences or being held in custody  
20                   pending appeal;

21       (2) Defendant shall be afforded reasonable opportunity for private consultation with  
22                   counsel;

01 (3) On order of a court of the United States or on request of an attorney for the  
02 Government, the person in charge of the corrections facility in which defendant is  
03 confined shall deliver the defendant to a United States Marshal for the purpose of  
04 an appearance in connection with a court proceeding; and  
05 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
06 counsel for the defendant, to the United States Marshal, and to the United States  
07 Pretrial Services Officer.

08 DATED this 4th day of May, 2007.

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11 Mary Alice Theiler  
12 United States Magistrate Judge